

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR FEBRUARY 25, 2004  
CITY HALL COUNCIL CHAMBERS 7:00 P.M.  
455 E. CALAVERAS BLVD., MILPITAS, CA 95035  
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

---

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

---

- IV. APPROVAL OF MINUTES:** February 11, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk \*)**

---

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

---

**VIII. PUBLIC HEARING**

- 1. USE PERMIT NO. UP2003-56, 'S' ZONE APPROVAL AMENDMENT NO. SA2004-5 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-2:** A request to operate a philanthropic organization that includes senior programs, preschool/child care center, after-school tutoring, free medical/dental clinic, community classes and exterior playground in a vacant research and development building located at 1851 McCarthy Boulevard within the Highway Service Zoning District (APN: 086-03-014). Applicant: Tzu Chi Foundation. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 3171) *(Recommendation: Approval with the Exception of the Preschool/Child Care Center Use)*

2. **ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-1 AND ZONE TEXT AMENDMENT NO. ZT2004-1 (Ordinance No. 38.763):** The City has prepared a Negative Declaration for Ordinance No. 38.763, which proposes to modify the following provisions as they relate to single-family dwellings: remove the maximum number of unrelated persons that can occupy a dwelling, require all occupants to function as a single housekeeping unit and provide a definition for single housekeeping unit, require two parking spaces to be enclosed within the garage and permanently maintained, and expand the definition of a kitchen. In addition, the project proposes to modify the location of the legal notice postings from the project vicinity to the project site. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Adopt the Negative Declaration (EA2004-1); and Adopt Ordinance No. 38.763 for amendments to the Zoning Ordinance Text (ZT2004-1))*
- \* 3. **SITE AND ARCHITECTURE REVIEW (SA2003-12), USE PERMIT'S NO. UP2002-42, UP2003-57, UP2003-58, UP2004-1, AND UP2004-3** *(Continued from February 11, 2004)*: A request to demolish and redevelop a part of the Town Center shopping center, which would include a new 54,000 square foot Safeway supermarket with the sale of all types of alcoholic beverages, a 32-seat Starbucks café within Safeway, and three (3) new freestanding signs within the shopping center. (APN: 028-12-004, 006, 013, 014, 016 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ# 3153) *(Recommendation: Continue to March 10, 2004)*
- \* 4. **USE PERMIT NO. UP2002-42 AND SITE AND ARCHITECTURE REVIEW (SA2003-13)** *(Continued from February 11, 2004)*: A request to construct 65 townhouses at the rear of the Town Center shopping center (APN: 028-12-006 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ# 3153) *(Recommendation: Continue to March 10, 2004)*
- \* 5. **SIGN ORDINANCE AMENDMENT NO. 124.26 (ZT2003-5)** *(Continued from February 11, 2004)*: A request to amend the sign ordinance to increase the number of freestanding signs allowed in the Town Center District. Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 3153) *(Recommendation: Continue to March 10, 2004)*

## **IX. NEW BUSINESS**

- \* 6. **HOLIDAY PARKING REVIEW (AD2004-3) FOR USE PERMIT (NO. 1166) AMENDMENT NO. UA2002-4:** Holiday parking review for the Great Mall Shopping Center, as part of the use permit for a parking modification (APN: 086-24-055). Applicant: Milpitas Mills Limited Partnership. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Note receipt and file)*
- \* 7. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-8:** A request for approval to utilize side yards as part of the required rear yard open space for a property located at 466 Donahe Drive within the R1-6 Zoning District. (APN: 028-14-050). Applicant: Frank Ho. Project Planner: Cindy Hom, (408) 586-3284 *(Recommendation: Approval with Conditions)*

## **X. ADJOURNMENT**

***THE NEXT PLANNING COMMISSION MEETING IS March 10, 2004***

*The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.*

**MILPITAS PLANNING COMMISSION SUBCOMMITTEE**

The Planning Commission Subcommittee consists of two members (currently Debbie Giordano-regular member, Gurdev Sandhu-regular member and Deepka Lalwani-alternate member) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. S-ZONE APPROVAL AMENDMENT NO. SA2003-57:** Request to convert existing crawl space into a 546 square foot recreation room and 424 square foot storage area with new exterior deck of a hillside residence located at 1854 St. Andrews Court (APN: 029-53-021). Applicant: Tuan Ngo. Project Planner: Kim Duncan, (408) 586-3283.